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Robin Buckson / The Detroit News

Paul Sheridan, right, is working with attorney Courtney Morgan on the product liability lawsuit against Chrysler involving the 2001 death of Nancy Lou Whitt and the lack of brake-shift interlock devices on Chrysler minivans.

Exclusive Report

Safety Firebrand Refuses to Relent

Fired employee battles Chrysler in courtroom

 By Bill Vlasic / *The Detroit News*

DETROIT -- Paul Sheridan sifted through the pile of police reports, depositions and legal briefs, and stopped at the autopsy photographs of Nancy Lou Whitt.

He had seen dozens of autopsies in more than 100 product-liability lawsuits. But the Whitt case shocked him.

Whitt, 41, died in the driveway of her Tennessee home, her chest and neck crushed under the left rear wheel of her Chrysler minivan. Police said her 5-year-old son had accidentally pulled the gearshift lever, putting the van into reverse with his mother behind it.

Without a trace of expression, Sheridan studied the photos in the Whitt family's attorney's office in downtown Detroit.



Robin Buckson / The Detroit News

Paul Sheridan sees himself as an

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Then he lost it. "It pisses me off," he snapped. "Why should I have to look at these? Maybe Mr. Eaton should have to look at these photographs and tell me I'm some disgruntled employee making a living on Chrysler safety."

He worked for Chrysler Corp. for a decade, and chaired the safety team on an all-new minivan when Bob Eaton was the automaker's chief executive.

But since 1994, Sheridan has found a new calling as perhaps the most prolific whistleblower in the auto industry.

Chrysler fired him for allegedly leaking documents, sued him for \$82 million and unleashed teams of attorneys to keep him off the witness stand.

Yet Sheridan couldn't be muzzled. Instead, he became an around-the-clock resource for trial lawyers targeting the most popular product in Chrysler history: the minivan.

"It's sort of a new career," said the 51-year-old former product planner. "What I could not accomplish while I was inside the company, I'm accomplishing now with my new team, the plaintiffs' bar."

Chrysler -- now part of [DaimlerChrysler AG](#) -- brands Sheridan a discontented, ex-middle manager who earns \$100 an hour peddling his services to attorneys churning out lawsuits against the company.

But inside the automaker, Sheridan is regarded as a potent opponent.

In an e-mail to Chrysler lawyers in February 2000, David Tyrrell, the company's top outside safety litigator, called Sheridan "organized, obsessive and detailed," and warned of the threat he posed.

"He was at Chrysler for an extended period of time, had a good work history according to his late reviews and awards, and is willing to testify about Chrysler's knowledge on any number of different issues," Tyrrell said.

The e-mail ended with a prediction.

"This guy," Tyrrell said, "is not going away any time soon."

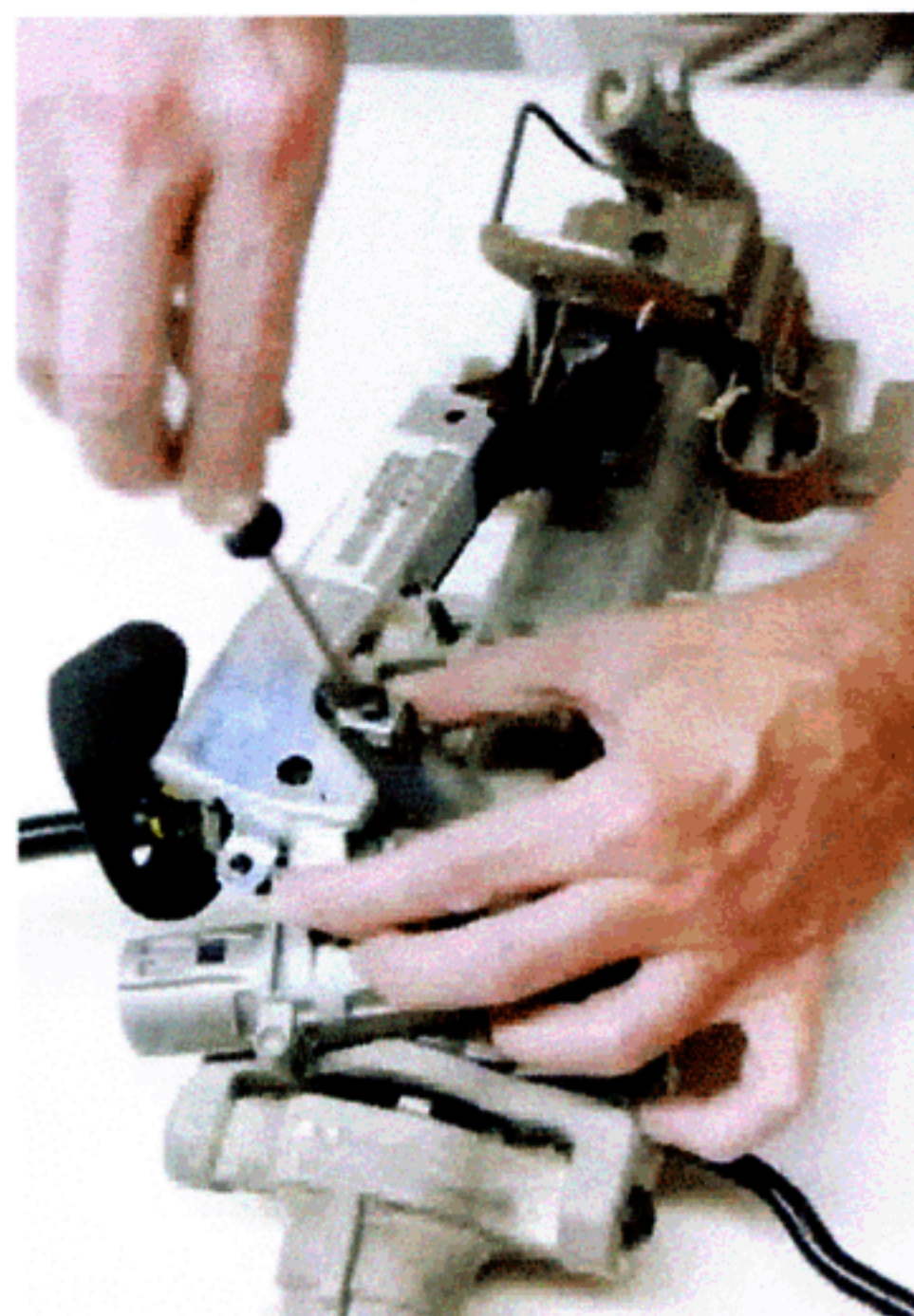
He hasn't.

Sheridan has been a witness or consultant in litigation over air bags, seat belts, liftgate latches, doors and fuel systems. In the past six months, lawyers have flown him to New York, Wisconsin, Nebraska, Florida, Texas and Hawaii to testify, give depositions or sign affidavits.

He's currently focused on Chrysler minivans and light trucks lacking brake-shift interlock, a device that prevents shifting of the gear-shift lever without depressing the brake.

The Whitt wrongful-death case, filed in U.S. District Court in Nashville, could be the first brake-shift lawsuit to go to trial. Sheridan is

automotive whistleblower crusading for minivan safety. Chrysler, who fired him, calls him a disgruntled employee who leaked confidential company information.



Robin Buckson / The Detroit News

Sheridan's latest focus is the lack of brake-shift interlocks on Chrysler minivans.

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expected to be a key witness.

In prior cases, Chrysler has attacked Sheridan's credentials and motives. At a May 16 court hearing in Florida, Tyrrell lashed out at an affidavit Sheridan filed in a brake-shift case.

"He runs around the country as a disgruntled former employee giving testimony against Chrysler," Tyrrell said.

Broward County Judge Victor Tobin offered a different view.

"One man's disgruntled former employee," Tobin said, "is another man's expert."

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Sheridan's affidavit goes far beyond any subject matter we have seen in the past. I predict you are going to see a lot more of this guy in many different types of cases. He is going to become the new, improved, Tom Flanagan. He was at Chrysler for an extended period of time, had a good work history according to his late reviews and awards, and is willing to testify about Chrysler's "knowledge" on any number of different issues. I also expect he will be a librarian of information and documents. This is the role Tom Flanagan has filled in the past - Sheridan will be much better organized, obsessive, detailed, and will present a far superior appearance as a witness.

I intend to spend considerable time with Sheridan going through his 20-page affidavit and its 58 exhibits to pin him down precisely to documents, persons, etc. This affidavit should be shown to other members of the Door Hardware Work Team and the NS SLT. In the past those employees never seemed to become incensed or outraged by Sheridan's statements. Perhaps this affidavit will help them in that regard.

This guy is not going away any time soon.

David

Robin Buckson / The Detroit News

This February 2000 e-mail to Chrysler lawyers from David Tyrrell, the company's top outside safety litigator, called Sheridan "organized, obsessive and detailed." The e-mail surfaced in Chrysler's legal efforts to muzzle Sheridan in court cases against the automaker. Tyrrell concluded with a warning: "This guy is not going to go away soon."

Minivan safety is first big task

By Bill Vlasic / The Detroit News

Part 2

After eight years as a rank-and-file planner with Chrysler, Sheridan got his big break in the spring of 1993.

As head of the safety leadership team for the company's new minivan, Sheridan had a unique opportunity to put his stamp on Chrysler's most important product.

Chrysler dominated the minivan market, and planned to invest \$2.6 billion on a total redesign. Sheridan's team was charged with assessing safety features on competing models and applying them to the new van.

Meticulous and compulsively organized, Sheridan was considered a dogged worker with a stubborn streak. A 1991 performance review rated his leadership and problem-solving skills "superior." Another review called him "aggressive,



Robin Buckson / The Detroit News

When Sheridan isn't flying from city to city as a consultant in Chrysler product liability lawsuits, he fits in workouts at the Dearborn Health and Racquet Club.

Paul Sheridan

Age: 51; born Feb. 3, 1952.

Education: Bachelor of science degree from the State University of New York. Master's degree in business administration from Cornell University.

Career:

* Worked at Ford Motor Co. from 1981-84. Joined Chrysler Corp. in 1984 as a

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opinionated, and persistent."
"He is a very serious guy," said Joseph Thomas, Sheridan's faculty adviser at Cornell University, where he earned a master's degree in business administration in 1980.

According to Chrysler documents, Sheridan's team highlighted several safety components in Ford Motor Co.'s Windstar van -- anti-lock brakes, brake-shift interlock, a fuel shut-off switch, dual latches on the liftgate.

In Sheridan's view, Chrysler had to match Ford on safety. His convictions were fueled by a number of grisly accidents involving the Chrysler minivan. Lawsuits charged that liftgate latches failed in collisions, ejecting children from the rear of the van.

Chrysler defended the latches, even when the National Highway Traffic Safety Administration (NHTSA) opened a formal investigation in early 1994.

Sheridan pressed for stronger latches on the new minivan, but soon found that he had minimal influence with senior executives. In October 1994, he fired off a testy memo to Theodor Cunningham, general manager of the minivan platform team.

"SLT (safety leadership team) membership is concerned that its approach is not fully endorsed, or a priority of upper management," Sheridan wrote.

Two weeks later, Cunningham disbanded the team. "Your team was not intended to make a final decision on a (safety) feature," he wrote Sheridan.

Fired by Chrysler amidst minivan probe

By then, Sheridan had other plans.

In the fall of 1994, Clarence Ditlow, executive director of the Center for Auto Safety in Washington, D.C., took an anonymous phone call from a Chrysler employee alleging defects in the minivan.

It was Sheridan.

"What he wanted to do was get information to the government about the safety of the minivans," Ditlow said in a 1998 court deposition.

Sheridan began collecting documents to take to NHTSA as federal regulators were turning up the heat on Chrysler. In November 1994, NHTSA officially informed Chrysler executives that "latch failure is a safety defect that involves children."

The minivan was under attack. Some top executives, led by Eaton, vowed to fight any recall on the latches. Others argued that the controversy could ruin the minivan's family-friendly image.

In the midst of the maelstrom, the trade paper Automotive News reported that "crash-test woes" had stalled work on the new van. Chrysler security poured over company phone records to find the leak. They grilled Sheridan on Dec. 16, 1994. Three days later, he was suspended.

Sheridan was fired Dec. 27 for "unauthorized disclosure of confidential" information. Chrysler also won a restraining order in Oakland County Circuit Court prohibiting him from disclosing "trade secrets."

Media exposure gets attorneys' attention

Chrysler's new minivan debuted at the 1995 North American International Auto Show in Detroit. A huge media throng packed the Cobo Center exhibit as Eaton extolled the attributes of the state-of-the-art van.

Meanwhile, in his small, suburban bungalow in Dearborn, Sheridan prepared to do battle.

He denied leaking crash-test documents to the media, but Sheridan was

product planner. Fired in 1994 for allegedly leaking confidential safety documents about the Chrysler minivan.

* Sued by Chrysler for \$82 million. Sheridan countersues for damages under the Whistleblower Protection Act.

* Key witness in the 1997 wrongful-death case of Sergio Jimenez Jr., a 6-year-old killed when he was ejected from the rear of his family's Chrysler minivan. South Carolina jury awards his parents \$262 million in damages. The verdict is overturned on appeal.

* Appears on ABC "Primetime" on May 3, 2001, criticizing Chrysler for failing to install brake-shift interlock devices on its minivans. The same day, Nancy Lou Whitt dies in a brake-shift related accident in Nashville, Tenn.

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ready to go public.

He claimed in court that Chrysler hid minivan defects from the government, and sued the company for damages under the state's Whistleblower Protection Act.

After an appearance on the ABC-TV news show "20/20," his phone rang incessantly. Attorneys clamored for his help on minivan cases. Media attention ratcheted up with each new report of a liftgate-related accident.

"One of the biggest mistakes Chrysler ever made was to fire him," Ditlow said. "He's knowledgeable and he's credible and that's a dangerous combination for a company."

In March 1995, Chrysler announced a "service campaign" to put replacement latches on more than 4 million minivans. By then, NHTSA had identified 37 deaths linked to latch failures.

Replacing the latches hardly slowed down Sheridan.

His first deposition came in a Virginia case in which a minivan driver, George Baird, died in a crash after his seat inexplicably collapsed backward. Chrysler settled out of court.

Moreover, attorneys began tapping into Sheridan's memory of internal meetings and memos that laid out a road map for subpoenas of Chrysler officials and documents.

Chrysler fought back. It won a protective order to seal Sheridan's deposition in a latch case in California -- Ornelas vs. Chrysler -- involving four passengers ejected from a minivan in a low-speed crash.

Then the company put a price tag of \$82 million on its damages claim against Sheridan. But rather than intimidating Sheridan, the move emboldened him.

"By taking the actions they took, they made the plaintiffs' bar very aware of my credentials," he said. "I mean, why would you sue someone for \$82 million if they didn't know anything?"

He was the star witness in a 1997 latch case in which a South Carolina jury awarded the family of a dead 6-year-old \$262 million in damages. (The verdict was overturned on appeal and the case settled out of court.)

And a year later, Sheridan was waiting outside a Los Angeles courtroom to testify in the Ornelas case when Chrysler abruptly settled the suit. He's convinced that his presence as a witness prompted the settlement.

"Once Chrysler knew I was in the hallway, they settled," he said.

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Robin Buckson / The Detroit News

The Chrysler minivan that crushed Nancy Lou Whitt of Tennessee wasn't equipped with a gear-shift locking device.

Gear-shift safety is next crusade

By Bill Vlasic / The Detroit News

Part 3

Nancy Lou Whitt and her two children returned from services at the United Methodist Church in the early evening of May 2, 2001. She put her 1994-model Plymouth Voyager in "park" in the driveway of her suburban Nashville home and got out to pick up the mail.

According to police reports, her 5-year-old son, Mason, "accidentally pulled on the gear-shift lever" and the van went into reverse toward Whitt.

"The victim tried to stop the vehicle from rolling backwards," the police report said. "She apparently fell and the vehicle rolled on top of her."

Whitt died the next day of "traumatic asphyxia." That night, in a grim coincidence, Sheridan appeared on ABC-TV's "Primetime."

The subject? Chrysler minivans and their lack of



Robin Buckson / The Detroit News

Nancy Lou Whitt, shown with husband James and children Mason and Shelby, was killed after being pinned under her minivan when her son shifted it into reverse.

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brake-shift interlock systems. On the program, Sheridan claimed that Chrysler executives had rejected brake-shift interlock for minivans in spite of his safety team's recommendations.

"We were right, they were wrong and, unfortunately, tragedy was the result," he said.

The interlock system, standard on most Ford and [General Motors Corp.](#) models since the early 1990s, requires someone to step on the brake before the gear-shift can be engaged. Without it, even a small child can put the van in gear.

Company officials contend that the real issue is not brake-shift interlock, but leaving kids alone in a running automobile.

"These accidents are preventable and serve as sober reminders that children should never be left alone in vehicles," said DaimlerChrysler spokeswoman Ann Smith.

Sheridan is a paid consultant on the Whitt case, and a potential witness if it goes to trial. Chrysler attorneys vow to challenge his testimony.

"He does not have an engineering background and he was never involved in the design or testing of a brake-shift interlock system," said Louann Van Der Wiele, a company attorney.

But Sheridan knows enough about brake-shift devices to purchase one at a local car dealership, and install it on a minivan steering column in less than 30 minutes at his basement workbench.

Did he blow whistle, or violate contract?

With his graying brown hair and droopy eyes, short-sleeve shirts and rumpled khakis, Sheridan hardly looks the part of a safety firebrand.

A lifelong bachelor, he drives a rusty 1988 Dodge Daytona, totes binders stuffed with newspaper articles and legal papers and eats lunch in the same Dearborn diner every day he's in town.

He laughs off the notion that he has gotten rich from his consulting fees. In his best year, Sheridan said he earned \$50,000, compared with his \$68,000 annual salary at Chrysler.

"I think Paul sacrificed everything for the truth," said Mikal Watts, a Texas lawyer who used Sheridan in latch cases. "It could have been easy to draw his salary and pension and keep his mouth shut."

Sheridan's own legal war with Chrysler appeared over when, in 1999, an Oakland County judge dismissed Sheridan's whistleblower suit. A year later, Chrysler withdrew its \$82 million lawsuit against him.

Sheridan lost an appeal of his whistleblower case in February, and now is petitioning the Michigan Supreme Court. The case could clarify the level of protection given whistleblowers under state law.

Chrysler argues that Sheridan doesn't deserve to be called a whistleblower. "He disseminated confidential information in violation of his employment contract," Van Der Wiele said. "That's not whistleblowing."

Unlike the defense industry or government workers, federal law does not specifically cover auto employees, according to Steven Kohn, chairman of the National Whistleblowers Council in Washington, D.C.

"There is no federal protection for automotive whistleblowers," Kohn



Robin Buckson / The Detroit News

Sheridan swears he isn't getting wealthy from work as an automotive whistleblower. As proof, he points to the rusty 1988 Dodge Daytona he drives.

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said. "It is industry by industry, and that's a major deficiency in the law."

'He's hung in there a long time'

His legal status as a whistleblower doesn't faze Sheridan.

He is on a mission, just as he was when his airline flight was canceled after the Sept. 11, 2001, terrorist attacks, and he drove eight straight hours to Tennessee to give a deposition.

Auto safety specialists marvel at Sheridan's longevity. One compared him to a middle-aged baseball star still firing fast balls late into his career.

"Sheridan is a little like Roger Clemens," Ditlow said. "He's hung in there a long time. Most whistleblowers burn out from the pressure."

If anything, Sheridan seems to thrive on fighting Chrysler. Before testifying in an air-bag death case in February, Sheridan could barely contain his emotions about the victim, an 8-year-old girl.

"I'm so angry about this," he said. "But when I get in the witness box, I'm going to be as cool as a morning pond."

Chrysler won the case. But Sheridan has moved on.

"There are plaintiffs who still need my assistance right now," he said. "And they will get it."

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